MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.2494 of 2007

Abha Ravi Malhotra ..Petitioner

Versus

Allahabad Bank & Ors. ..Respondents

Ms. Varsha Palav, for the Petitioner
Mrs. Usha Srivastava i/b. Consulta Juris for respondent No.1.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 16TH APRIL, 2007.

P.C.

. It is the contention of the petitioner that the property belongs to a partnership and even if the Power of Attorney is considered that would limited to the other Partner Respondent No.8 herein.

2. Firstly the partnership is not registered. The petitioner by a Power of Attorney permitted the other partner her mother by an addendum to the General Power of Attorney dated 1st April, 1997 to mortgage the said property or create charge in favour of other parties, also as may be necessary for availing loans from the Financial Institutions. The mother the other partners mortgaged the property as a guarantor. In our opinion this would not be a fit case to exercise our extra ordinary jurisdiction. Petition rejected. It will be open to the petitioner to pay the necessary Court Fees and challenge the same. With the above observation petition disposed of.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**